

NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO SUPPLEMENTARY
CODE OF FAIR COMPETITION

FOR THE

HOG RING AND RINGER
MANUFACTURING INDUSTRY

(A Division of the Fabricated Metal Products
Manufacturing and Metal Finishing
and Metal Coating Industry)

AS APPROVED ON NOVEMBER 6, 1934



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Approved Code No. 84F1—Amendment No. 1

AMENDMENT TO SUPPLEMENTARY CODE OF FAIR
COMPETITION
FOR THE
HOG RING AND RINGER MANUFACTURING
INDUSTRY

As Approved on November 6, 1934

ORDER

APPROVING AMENDMENT OF SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE HOG RING AND RINGER MANUFACTURING INDUSTRY

A DIVISION OF THE FABRICATED METAL PRODUCTS MANUFACTURING AND METAL FINISHING AND METAL COATING INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Supplementary Code of Fair Competition for the Hog Ring and Ringer Manufacturing Industry, and a Notice of Opportunity to be Heard having been duly given thereon and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, dated September 27, 1934, and otherwise; does hereby incorporate, by reference, said annexed report and does find that said amendment and the Supplementary Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Supplementary Code is hereby amended to include an approval of said Supplementary Code in its entirety as amended, such approval and such

amendment to take effect fifteen (15) days from the date hereof, unless good cause to the contrary is shown to the National Industrial Recovery Board before that time and the National Industrial Recovery Board issues a subsequent order to that effect.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By W. A. HARRIMAN, *Administrative Officer.*

Approval recommended:

KILBOURNE JOHNSTON,

Acting Division Administrator.

WASHINGTON, D. C.,

November 6, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,

The White House.

SIR: An application has been duly made pursuant to and in full compliance with the provisions of the National Industrial Recovery Act for an amendment of Article IV of the Supplementary Code of Fair Competition for the Hog Ring and Ringer Manufacturing Industry by the Supplementary Code Authority for that Industry.

The Supplementary Code of Fair Competition for the Hog Ring and Ringer Manufacturing Industry was approved on May 22, 1934. Article IV, Section 5 provides that:

"Section 5. It being found necessary in order to support the administration of this Supplementary Code and to maintain the standards of fair competition established by this Supplementary Code and to effectuate the policy of the Act, the Supplementary Code Authority is authorized, subject to the approval of the Administrator:

"(a) To incur such reasonable obligations as are necessary and proper for the foregoing purposes and to meet such obligations out of funds which may be raised as hereinafter provided and which shall be held in trust for the purposes of the Supplementary Code;

"(b) To submit to the Administrator for his approval, subject to such notice and opportunity to be heard as he may deem necessary, (1) an itemized budget of its estimated expenses for the foregoing purposes, and (2) an equitable basis upon which the funds necessary to support such budget shall be contributed by members of the Industry;

"(c) After such budget and basis of contribution have been approved by the Administrator, to determine and secure equitable contribution as above set forth by all such members of the Industry, and to that end, if necessary, to institute legal proceedings therefor in its own name."

Article IV, Section 6 provides that:

"Only members of the Industry complying with the Supplementary Code and contributing to the expenses of its administration as provided in Section 1 hereof shall be entitled to participate in the selection of the members of the Supplementary Code Authority or to receive the benefit of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration."

The above sections of Article IV in effect provide for voluntary contributions on the part of the members of the Industry. This method of providing funds for the proper administration of the Supplementary Code has been found to be unsatisfactory. The present amendment is therefore proposed to create a legal obligation on the part of the Industry members to pay their pro rata share of the expenses of the Supplementary Code Authority.

FINDINGS

The Assistant Deputy Administrator, in his final report to the National Industrial Recovery Board on said amendment of said Code, having found as herein set forth and on the basis of all the proceedings in this matter:

It finds that:

(a) The amendment of said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7 and Subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid amendment on behalf of the industry as a whole.

(d) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons, therefore, it has approved this amendment.

For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

NOVEMBER 6, 1934.

AMENDMENT TO SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE HOG RING AND RINGER MANUFACTURING INDUSTRY

A DIVISION OF THE FABRICATED METAL PRODUCTS MANUFACTURING AND METAL FINISHING AND METAL COATING INDUSTRY

Amend Article IV, by deleting Section 5 and Section 6 and substituting in place thereof the following:

SECTION 5. (a) It being found necessary, in order to support the administration of this Supplementary Code and to maintain the standards of fair competition established heremunder and to effectuate the policy of the Act, the Supplementary Code Authority is authorized:

(1) To incur such reasonable obligations as are necessary and proper for the foregoing purposes, and to meet such obligations out of funds which may be raised as hereinafter provided and which shall be held in trust for the purposes of the Supplementary Code.

(2) To submit to the National Industrial Recovery Board for its approval, subject to such notice and opportunity as it may deem necessary (a) an itemized budget of its estimated expenses for the foregoing purposes, and (b) an equitable basis upon which the funds necessary to support such budget shall be contributed by members of the Industry.

(3) After such budget and basis of contribution have been approved by the National Industrial Recovery Board, to determine and obtain equitable contribution as above set forth by all members of the Industry, and to that end, if necessary, to institute legal proceedings therefor in its own name.

(b) Each member of the Industry shall pay his or its equitable contribution to the expenses of the maintenance of the Supplementary Code Authority, determined as hereinabove provided, and subject to rules and regulations pertaining thereto issued by the National Industrial Recovery Board. Only members of the Industry complying with the Code and contributing to the expenses of its administration as hereinabove provided, unless duly exempted from making such contribution, shall be entitled to participate in the selection of members of the Supplementary Code Authority or to receive the benefit of any of its voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

(c) The Supplementary Code Authority shall neither incur nor pay any obligation substantially in excess of the amount thereof as estimated in its approved budget, and shall in no event exceed the



total amount contained in the approved budget, except upon approval of the National Industrial Recovery Board; and no subsequent budget shall contain any deficiency item for expenditures in excess of prior budget estimates except those which the National Industrial Recovery Board shall have so approved.

Delete Sections 9 (e) and 9 (f) of Article IV and renumber Section 9 (g) to read 9 (e).

Approved Code No. S4F1—Amendment No. 1.
Registry No. 1122-07.

